

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
NOV 10 2014

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

DUMISANI JERICHO TEMBO,
Plaintiff,

Civil Action No. 7:14-cv-00575

v.

MEMORANDUM OPINION

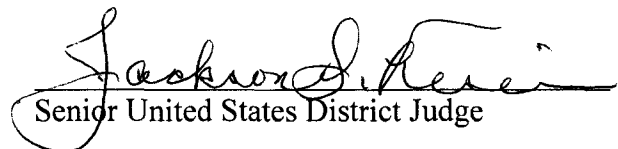
NEW RIVER VALLEY REGIONAL
JAIL,
Defendant.

By: Hon. Jackson L. Kiser
Senior United States District Judge

Dumisani Jericho Tembo, a Virginia inmate proceeding pro se, filed a Complaint, pursuant to 42 U.S.C. § 1983, naming the New River Valley Regional Jail ("Jail") as the defendant. This matter is before me for screening, pursuant to 28 U.S.C. § 1915A.

The court must dismiss the Complaint because the Jail is not amenable to suit via § 1983. See West v. Atkins, 487 U.S. 42, 48 (1988) (recognizing a § 1983 claim must allege the violation of a federal right by a person acting under color of state law); Preval v. Reno, 57 F. Supp. 2d 307, 310 (E.D. Va. 1999) ("[T]he Piedmont Regional Jail is not a 'person,' and therefore not amenable to suit under 42 U.S.C. § 1983."), aff'd in part and rev'd in part, 203 F.3d 821 (4th Cir. 2000), reported in full-text format at 2000 U.S. App. LEXIS 465, at *3, 2000 WL 20591, at *1 ("The court also properly determined that the Piedmont Regional Jail is not a 'person' and is therefore not amenable to suit under § 1983[.]"). Accordingly, I dismiss the Complaint without prejudice for failing to state a claim upon which relief may be granted.

ENTER: This 10th day of November, 2014.


Senior United States District Judge